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Attorneys for UTILITY TREE SERVICE, LLC

**UNITED STATES BANKRUPTCY COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

In re:

PG&E CORPORATION,

- and -

PACIFIC GAS AND ELECTRIC  
COMPANY,

Debtors.

- ☐ Affects PG&E Corporation  
☐ Affects Pacific Gas and Electric Company  
☒ Affects both Debtors

*\* All papers shall be filed in the Lead Case,  
No. 19-30088 (DM).*

Case No. 19-30088 (DM)

Chapter 11

(Lead Case)

(Jointly Administered)

**UTILITY TREE SERVICE, LLC'S  
RESPONSE TO REORGANIZED  
DEBTORS' TWENTY-EIGHTH  
OMNIBUS OBJECTION TO CLAIMS  
(BOOKS AND RECORDS CLAIMS)**

Date: January 27, 2021

Time: 10:00 a.m.

Place: (Telephonic Appearance Only)

450 Golden Gate Avenue

Courtroom 17, 16<sup>th</sup> Floor

San Francisco, CA 94102

Related Docket No. 9427

Utility Tree Service, LLC ("UTS") responds as follows to the Reorganized Debtors' Twenty-Eighth Omnibus Objection to Claims (Books and Records Claims) [Dkt #9427] ("Objection") with respect to the Debtors' proposed treatment of UTS's Claim No. 8068:<sup>1</sup>

<sup>1</sup> UTS's deadline to file a response to the Objection was extended by agreement with the Debtors to January 15, 2021.

1 The Objection requests that the Court disallow a portion of UTS's Claim No. 8068  
2 ("Prepetition Services Claim"). The Prepetition Services Claim, in the amount of \$1,290,800.79, is  
3 based upon prepetition tree trimming services that UTS provided to debtor Pacific Gas and Electric  
4 Company ("Utility"). See Declaration of David B. Stall, filed herewith.

5 An invoice summary reflecting the amount due and owing to UTS as of the petition date is  
6 attached to the Prepetition Services Claim. Several months ago, UTS voluntarily produced to  
7 representatives of the Debtors copies of all invoices and other relevant documents related to the  
8 Prepetition Services Claim. UTS also communicated in good faith with the Debtors' claims  
9 representatives concerning the Prepetition Services Claim and supporting documentation.

10 On November 5, 2020, the Debtors filed the Objection, contending that the Prepetition  
11 Services Claim (among others listed) "assert[s] liabilities in excess of the amounts for which the  
12 Reorganized Debtors are liable as reflected in their books and records," and requesting that the  
13 Prepetition Services Claim be allowed at the reduced amount of \$892,060.00, a reduction of  
14 approximately \$398,740.79 (the "Disputed Balance"). Unfortunately, the vague language used in  
15 the Objection does not explain why the Disputed Balance is not a liability of the Utility per its "books  
16 and records."

17 Accordingly, UTS contacted the Debtors' claims representatives to request an explanation  
18 of the objection grounds. Despite repeated requests, the Debtors' claims representatives have failed  
19 to produce any documents or information explaining why they believe the invoices associated with  
20 the Disputed Balance should be disallowed. See Declaration of Geoffrey A. Heaton, filed herewith.  
21 As such, UTS does not know why the Debtors contend that the Disputed Balance should be  
22 disallowed.

23 Either the Debtors must provide a substantive response to UTS's reasonable inquiries  
24 concerning the Disputed Balance, or they should withdraw the Objection. Absent a substantive  
25 response, UTS is left in the untenable position of responding to the Objection when it does not  
26 understand the basis for the Objection. Accordingly, UTS reserves all rights to supplement this  
27 Response if and when additional information is provided to UTS. If the Court is not prepared to  
28 overrule the Objection, then UTS respectfully requests that the Court continue the hearing on this

1 matter and direct the Debtors' claims representatives to provide the requested information, and meet  
2 and confer in good faith with UTS, concerning the Disputed Balance.

3  
4 Dated: December 17, 2020

**DUANE MORRIS LLP**

5 By: /s/ Geoffrey A. Heaton (206990)

6 GEOFFREY A. HEATON  
7 Attorneys for UTILITY TREE  
8 SERVICE, LLC  
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